

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JUSTIN PAULO,

Plaintiff,

v.

BRIAN WILLIAMS, et al.,

Defendants.

Case No.: 2:19-cv-00474-APG-NJK

**ORDER**

[Docket No. 50]

Pending before the Court is Plaintiff's motion to extend discovery by ninety days. Docket No. 50. The Court has considered Plaintiff's motion and Defendants' response. Docket Nos. 50, 51. No reply is necessary. This matter is properly resolved without a hearing. *See* Local Rule 78-1.

A request to extend deadlines in the Court's scheduling order filed within twenty-one days of the date the party seeks to extend must be supported by a showing of good cause for the extension. Local Rule 26-3; *see also Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 608 (9th Cir. 1992). The "good cause" inquiry focuses mainly on the movant's diligence. *Coleman v. Quaker Oats Co.*, 232 F.3d 1271, 1294–95 (9th Cir. 2000). Good cause to extend a discovery deadline exists "if it cannot reasonably be met despite the diligence of the party seeking the extension." *Johnson*, 975 F.2d at 609. While prejudice to the opposing party may also be considered, when the movant "fail[s] to show diligence, 'the inquiry should end.'" *Coleman*, 232 F.3d at 1295 (quoting *Johnson*, 975 F.2d at 609). The Court has broad discretion in supervising pretrial litigation. *Zivkovic v. S. Cal. Edison Co.*, 302 F.3d 1080, 1087 (9th Cir. 2002).

....

1 Plaintiff submits that good cause exists because restricted operations at High Desert State  
2 Prison limit his ability to access legal assistance and properly engage in the discovery process. *Id.*  
3 at 2-3. Plaintiff submits that the parties have engaged in written discovery and that he intends to  
4 submit follow-up discovery requests based on the initial discovery efforts. *Id.* Defendants do not  
5 oppose Plaintiff's request. Docket No. 51 at 1. Additionally, Defendants request the dispositive  
6 motions deadline be further adjusted to a period of sixty days following the close of discovery to  
7 accommodate Plaintiff's needs and the environment in which Plaintiff is litigating. *Id.* at 2.

8 For good cause shown, the Court **GRANTS** Plaintiff's motion, Docket No. 50, and  
9 **EXTENDS** the remaining discovery deadlines as follows:

- 10 • Discovery Cut-off: December 27, 2021
- 11 • Dispositive Motions: February 25, 2022
- 12 • Pre-trial Order: March 21, 2022, 30 days after resolution of dispositive motions, or  
13 further Court Order.

14 IT IS SO ORDERED.

15 Dated: October 22, 2021

16  
17   
Nancy J. Koppe  
United States Magistrate Judge  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28